

C2 1. (Thrice Amended) A recombinant promoter, capable of driving expression of a transgene operably linked to the promoter, wherein the promoter comprises nucleotides 398-853 of SEQ ID NO: 17.

7. (Reiterated) A vector, comprising the recombinant promoter of claim 1.

8. (Reiterated) A host cell, comprising the vector of claim 7.

9. (Reiterated) A transgenic plant, comprising the host cell of claim 8.

10. (Reiterated) A transgene, comprising the promoter of claim 1 and at least one ORF operably linked to the promoter.

11. (Reiterated) A vector, comprising the transgene of claim 10.

12. (Reiterated) A plant cell, comprising the transgene of claim 10.

13. (Reiterated) The transgene of claim 10, wherein the ORF encodes a cationic peptide.

14. (Reiterated) The plant cell of claim 12, wherein the plant cell is obtained from a plant selected from the group consisting of maize, wheat, rice, millet, tobacco, sorghum, rye, barley, brassica, seaweeds, lemna, oat, soybean, cotton, legumes, rape/canola, alfalfa, flax, peanut, and clover; cucurbits, cassava, vegetables, walnuts, fruit trees, flowers, cacao; deciduous trees, conifers, turf grasses, cacao, rubber trees and members of the genus *Hevea*.

15. (Reiterated) A method for expressing at least one protein in a host cell, comprising: introducing a transgene comprising an ORF and the recombinant promoter of claim 1 into a host cell; and allowing the host cell to produce a protein from the ORF.

16. (Reiterated) The method of claim 15, wherein the host cell is a plant host cell.

19. (Reiterated) The recombinant promoter of claim 1, wherein the promoter is developmental-specific.

20. (Reiterated) The promoter of claim 1, wherein the promoter is induced with ethylene or a metal.

21. (Reiterated) The recombinant promoter of claim 19, wherein the promoter is expressable in gametophytic tissue.

30. (Reiterated) The plant cell of claim 14, wherein the plant cell is obtained from a tobacco plant.

31. (Reiterated) The plant cell of claim 14, wherein the plant cell is obtained from a potato plant.

32. (Reiterated) The plant cell of claim 14, wherein the plant cell is obtained from a wheat plant.

33. (Reiterated) The plant cell of claim 14, wherein the plant cell is obtained from a Douglas-fir plant.

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Please cancel claims 34-47 and claims 52-53 without prejudice to prosecution in a future application.

48. (Reiterated) The promoter of claim 1, wherein the promoter comprises nucleotides 180-853 of SEQ ID NO: 17.

54. (Reiterated) The promoter of claim 1, wherein the promoter comprises the nucleic acid sequence shown in SEQ ID NO: 17.